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Attorneys for Plaintiffs

**X.D. & X. C. THROUGH GAL TRACIE HALL**

*Additional Counsel Listing on Next Page*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

X.D. BY AND THROUGH  
GUARDIAN AD LITEM TRACI  
HALL, INDIVIDUALLY AND AS  
SUCCESSOR IN INTEREST TO  
NIANA FINLAYSON, DECEASED,  
individually; S.C. BY AND  
THROUGH GUARDIAN AD LITEM  
KENNETH COTTON  
INDIVIDUALLY AND AS  
SUCCESSOR IN INTEREST TO  
NIANI FINLAYSON, DECEASED,  
individually,

Plaintiffs,

vs.

COUNTY OF LOS ANGELES;  
DEPUTY TY SHELTON; and DOES  
1-10, inclusive,

Defendants

Case No. 8:24-cv-00902-FWS-PVCx

**STIPULATION AND REQUEST  
FOR ORDER OF DISMISSAL**

1 Rickey Ivie, Esq. (SBN 76864)  
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10 Attorneys for Defendants  
11 **COUNTY OF LOS ANGELES and TY SHELTON**  
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**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

Plaintiffs X.D., by and through guardian ad litem Traci Hall, individually and as successor in interest to Niani Finlayson, deceased, and S.C., by and through guardian ad litem Kenneth Cotton, individually and as successor in interest to Niani Finlayson, deceased (“Plaintiffs”), and Defendants County of Los Angeles and Deputy Ty Shelton (“Defendants”), by and through their attorneys of record, hereby stipulate as follows:

1. The First Amended Complaint’s First Claim for Relief (Unreasonable Seizure of Person (42 U.S.C. § 1942)), under federal law, will be dismissed with prejudice.

2. The First Amended Complaint’s Sixth Claim for Relief (Municipal Liability (42 U.S.C. § 1942)), under federal law, will be dismissed with prejudice.

3. Defendants waive all fees and costs associated with the claims being dismissed with prejudice.

4. Defendants will not seek partial summary judgment in federal court on the remaining state law claims.

5. Due to the dismissal, with prejudice, of the federal claims, the parties stipulate and agree that the remaining state law claims, which is the First Amendment’s Second Claim for Relief (Civil Battery), Third Claim for Relief (Wrongful Death), Fourth Claim for Relief (Negligence), and Fifth Claim for Relief (Bane Act) will be dismissed without prejudice due to the federal court’s loss of subject matter jurisdiction, and will be refiled in state court.

6. The parties stipulate and agree that Defendants reserve their right to right to seek summary judgment on the Plaintiffs’ claims for Civil Battery, Wrongful Death, Negligence, and Bane Act in state court per the state court deadlines.

1           7.     The parties stipulate and agree that any applicable statute of limitations  
2 for Plaintiffs' state law claims are tolled between the time this action was filed and  
3 when Plaintiffs refile their state law claims of Civil Battery, Wrongful Death,  
4 Negligence, and Bane Act in state court and Defendants waive any and all statute of  
5 limitations defense in state court.

6           8.     The parties stipulate and agree that the fact and expert discovery  
7 completed to date will not be reopened in the state court action without a court order  
8 upon showing of good cause and demonstrated prejudice to any party.

9           9.     The parties have met and conferred and are currently attempting to  
10 work out a possible resolution of this action. The parties stipulate and agree to the  
11 partial dismissal of the above claims and the refiling of the remaining state law  
12 claims in state court in order to better facilitate the possibility of a resolution in this  
13 case.

14           10.    Accordingly, the parties stipulate and request that the Court issue and  
15 order dismissing the following claims with prejudice: First Claim for Relief  
16 (Unreasonable Seizure of Person (42 U.S.C. § 1942)) and Sixth Claim for Relief  
17 (Municipal Liability (42 U.S.C. § 1942)); and dismissing the following claims  
18 without prejudice: Second Claim for Relief (Civil Battery), Third Claim for Relief  
19 (Wrongful Death), Fourth Claim for Relief (Negligence), and Fifth Claim for Relief  
20 (Bane Act).

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1 IT IS SO STIPULATED.

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3 DATED: July 24, 2025

**LAW OFFICES OF DALE K. GALIPO**

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5  
6 By Dale K. Galipo  
7 Dale K. Galipo  
8 Attorneys for Plaintiffs  
9

10 DATED: July 24, 2025

**BRAD GAGE LAW**

11  
12 By Bradley C. Gage\*  
13 Bradley C. Gage  
14 Attorneys for Plaintiffs  
15

16 DATED: July 24, 2025

**IVIE McNEILL WYATT  
PURCELL & DIGGS**

17  
18 By /s/Marina Samson\*  
19 Rickey Ivie, Esq.  
20 Marina Samson, Esq.  
21 Attorneys for Defendants  
22 County of Los Angeles  
23 and Deputy Tv Shelton  
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25 \*Pursuant to Local Rule 5-4.3.4 (a)(2)(i), the filer, Dale K. Galipo, hereby attests  
26 that all other signatories listed, and on whose behalf the filing is submitted, concur  
27 with the filing's content and have authorized the filing.  
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